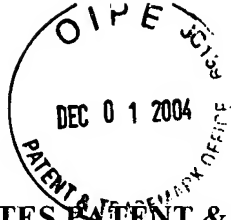


DOCKET NO.: 260063US28DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :

EVELYN BOETTCHER ET AL. : GROUP ART UNIT: 2871

SERIAL NO: 10/821,954 : EXAMINER: CALEY, M.

FILED: APRIL 12, 2004 :

FOR: WAVELENGTH TUNABLE FILTER DEVICE FOR FIBER OPTIC SYSTEMS

**APPOINTMENT OF POWER OF ATTORNEY
AND CERTIFICATION UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned representative of BROADBAND ROYALTY CORPORATION,
owner by virtue of assignment of the above-identified application, hereby appoints
practitioners associated with Customer Number

22850

as Assignee's attorney with full power of substitution and revocation, to prosecute said patent
application, receive any Letters Patent and to take any and all other actions with regard to this
patent application and any Letters Patent issuing thereon.

Please recognize or change the correspondence address for the above-identified application to the address associated with Customer Number

22850

CERTIFICATION UNDER 37 C.F.R. 3.73(b)

I, the undersigned, certify that I am an individual empowered to act on behalf of BROADBAND ROYALTY CORPORATION, a corporation, the assignee of the entire right, title and interest of the above-identified application by virtue of an assignment from the inventor, said Assignment having been recorded in the U.S. Patent & Trademark Office at reel no. 0152363, frame no. 0850.

BROADBAND ROYALTY CORPORATION

Date: 11/10/2004

By: George M. Saverano
Name: George M. Saverano
Title: President

(OSMMN 2004)



Docket No.: 260063US28DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/821,954

Applicants: Evelyn BOETTCHEER, et al.

Filing Date: April 12, 2004

For: WAVELENGTH TUNABLE FILTER DEVICE FOR
FIBER OPTIC SYSTEMS

Group Art Unit: 2871

Examiner: Caley, Michael H.

SIR:

Attached hereto for filing are the following papers:

Appointment of Power of Attorney

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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